IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13922 of 2004

Between:

N. Madhu,

S/o. Late Smt. Yadamma,

R/o. H.No. 8-2-102, Punjagutta Colony, Pratap Nagar,
Srinagar Colony,

Hyderabad District.

..... PETITIONER

AND

1 The General Manager,

Telecom, A.P. Circle,

Hyderabad - 500 001.
2 The Assistant Director (Staff-I), B.S.N.L.,

Andhra Pradesh, Hyderabad - 500 001.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ or Order or Direction in the nature of the writ the records relating to and connected with the order dated 15-07-2003 issued by the second respondent by which the case of the petitioner herein for considering appointment on compassionate grounds was rejected vide order No. TA/STA/13-071/99 and set aside the same and consequently direct the respondents to consider the case of petitioner herein for compassionate appointment.

Counsel for the Petitioner: Mr. K.SUDHAKAR REDDY.

Counsel for the Respondents : Smt. C.Laxmi Kumari.

The Court made the following ORDER:

The petitioner's mother by name Yadamma worked in the respondent-Corporation. She died on 7-3-1998 while in service, leaving her husband, the petitioner, two sons and a daughter. The petitioner submitted an application on 17-3-1999 for appointment on compassionate grounds on account of the death of his mother. The respondent gave a reply on 15-7-2003 mentioning that the case of the petitioner was examined and his application for appointment on compassionate grounds was rejected holding that his father is working in APSRTC by the date of the death of his mother.

When the father, who is the earning member, is alive, the petitioner is not entitled for compassionate appointment. The scheme of compassionate appointment will be extended only to those persons whose bread-winner died in harness and there is no other earning family member. Since the father of the petitioner is an earning member, the respondent was right in passing the impugned order, rejecting the application of the petitioner for compassionate appointment.

There are no grounds to interfere with the order of the respondent dated 15-7-2003. The Writ Petition is accordingly dismissed. No order as to costs.

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(Dr. G.YETHIRAJULU,J)

4th October, 2004.

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To

1 The General Manager,

Telecom, A.P. Circle,

Hyderabad - 500 001.

2 The Assistant Director (Staff-I), B.S.N.L.,

Andhra Pradesh, Hyderabad - 500 001.

3 Two CD Copies.